

Federal Trade Commission Spam Forum
April 30 – May 2, 2003

Comments of AT&T Wireless on Short Messaging Service Spam

The worldwide popularity of wireless text messaging or short messaging service (SMS) is spreading to the United States. This growing trend has brought with it concerns regarding the mass distribution of unsolicited text messages or “SMS spam.”

Spam is commonly defined as electronic messages, often of a commercial nature, sent to multiple email addresses or wireless devices where the recipient has not consented to receive such messages. Almost all existing and proposed legislation recognizes that businesses need to be able to communicate with their customers and carves out an exception for such communications.

AT&T Wireless has a strong business interest in protecting our customers from SMS spam -- it's part of providing quality service. Currently our customers are not significantly affected by SMS spam, but we know that we have to remain vigilant in this area. We are also optimistic about our ability to successfully continue addressing this issue.

SMS spam issues affect wireless carriers in two ways. First, carriers must prevent spam from impacting their customers, whether due to unsolicited messages reaching those customers or through an adverse effect on network performance. Second, wireless carriers must ensure that any efforts to address spam do not prevent them from continuing to communicate with their customers.

AT&T Wireless is actively addressing the SMS spam issue on many fronts.

First, we use and continue to enhance various technical measures to prevent SMS spam from reaching our customers. (AT&T Wireless does not currently charge customers to receive text messages, so if an unsolicited text message does reach one of our customers despite these safeguards, at least they are not charged for it.)

Second, we pursue legal actions against third parties who attempt to send spam to our customers.

Third, AT&T Wireless notes that we are in a fortunate position because we are able to learn from the experience of the wireless industry abroad, including our valued partner, DoCoMo. We've been able to incorporate that knowledge into our SMS spam prevention methods, which is one of the reasons we're optimistic about our continued ability to successfully address this issue.

Finally, AT&T Wireless abides by a strong Privacy Policy that is prominently displayed on our Web site. Our policy, which has received TRUSTe certification, makes clear that

we may from time to time communicate with our customers. It also provides information to customers on our opt-out procedures.